

# HOUSE BILL 515

P1

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CF SB 476

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By: **Delegates Stein, Arora, Bobo, Cardin, DeBoy, Frick, Kach, A. Kelly, Kipke, Kramer, Lafferty, Morhaim, Olszewski, Reznik, B. Robinson, Stukes, and ~~Zucker~~ Zucker, Howard, and Walker**

Introduced and read first time: February 2, 2012  
Assigned to: Ways and Means

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 20, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Government – Financial Education and Capability Commission**

3 FOR the purpose of establishing the Financial Education and Capability Commission;  
4 providing for the composition, co–chairs, and staffing of the Commission;  
5 prohibiting a member of the Commission from receiving certain compensation,  
6 but authorizing the reimbursement of certain expenses; requiring the  
7 Commission to meet at least a certain number of times each year; requiring the  
8 Commission to monitor the implementation of public and private initiatives to  
9 improve the financial education and capability of residents of the State and to  
10 make recommendations regarding certain matters; requiring the Commission to  
11 make certain reports to the Governor and the General Assembly on or before a  
12 certain date each year; defining a certain term; specifying the terms of the  
13 initial appointed members of the Commission; and generally relating to the  
14 Financial Education and Capability Commission.

15 BY adding to  
16 Article – State Government  
17 Section 9–801 through 9–804 to be under the new subtitle “Subtitle 8. Financial  
18 Education and Capability Commission”  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume and 2011 Supplement)

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – State Government**

4 **SUBTITLE 8. FINANCIAL EDUCATION AND CAPABILITY COMMISSION.**

5 **9–801.**

6 IN THIS SUBTITLE, “COMMISSION” MEANS THE FINANCIAL EDUCATION  
7 AND CAPABILITY COMMISSION.

8 **9–802.**

9 **THERE IS A FINANCIAL EDUCATION AND CAPABILITY COMMISSION.**

10 **9–803.**

11 **(A) THE COMMISSION CONSISTS OF THE FOLLOWING MEMBERS:**

12 **(1) TWO MEMBERS OF THE SENATE OF MARYLAND, APPOINTED**  
13 **BY THE PRESIDENT OF THE SENATE;**

14 **(2) TWO MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED**  
15 **BY THE SPEAKER OF THE HOUSE;**

16 **(3) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE**  
17 **SUPERINTENDENT’S DESIGNEE;**

18 **(4) THE SECRETARY OF HOUSING AND COMMUNITY**  
19 **DEVELOPMENT, OR THE SECRETARY’S DESIGNEE;**

20 **(5) THE COMMISSIONER OF FINANCIAL REGULATION IN THE**  
21 **DEPARTMENT OF LABOR, LICENSING, AND REGULATION, OR THE**  
22 **COMMISSIONER’S DESIGNEE;**

23 **(6) THE EXECUTIVE DIRECTOR OF THE FAMILY INVESTMENT**  
24 **ADMINISTRATION IN THE DEPARTMENT OF HUMAN RESOURCES, OR THE**  
25 **EXECUTIVE DIRECTOR’S DESIGNEE;**

26 **(7) THE CHIEF OF THE CONSUMER PROTECTION DIVISION OF**  
27 **THE OFFICE OF THE ATTORNEY GENERAL, OR THE CHIEF’S DESIGNEE;**

28 **(8) THE STATE TREASURER, OR THE STATE TREASURER’S**  
29 **DESIGNEE;**

1           **(9) THE COMPTROLLER, OR THE COMPTROLLER’S DESIGNEE;**  
2 **AND**

3           **(10) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:**

4                   **(I) ONE MEMBER OF THE BOARD OF TRUSTEES OF THE**  
5 **MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT**  
6 **PLANS;**

7                   **(II) ONE MEMBER OF THE COLLEGE SAVINGS PLANS OF**  
8 **MARYLAND BOARD;**

9                   **(III) ONE MEMBER OF THE MARYLAND HIGHER EDUCATION**  
10 **COMMISSION;**

11                   **(IV) ONE MEMBER OF THE MARYLAND STATE EDUCATION**  
12 **ASSOCIATION ~~WHO TEACHES A COURSE INVOLVING PRINCIPLES OF FINANCIAL~~**  
13 **~~EDUCATION;~~**

14                   **(V) ONE REPRESENTATIVE OF THE MARYLAND CASH**  
15 **CAMPAIGN;**

16                   **(VI) ONE REPRESENTATIVE OF A COMMUNITY-FOCUSED**  
17 **NONPROFIT ORGANIZATION THAT PROVIDES FREE FINANCIAL EDUCATION IN**  
18 **THE STATE;**

19                   **(VII) ONE REPRESENTATIVE OF A PHILANTHROPIC**  
20 **ORGANIZATION THAT PROVIDES FUNDING FOR FINANCIAL EDUCATION IN THE**  
21 **STATE;**

22                   **(VIII) ONE REPRESENTATIVE OF THE MARYLAND COUNCIL ON**  
23 **ECONOMIC EDUCATION OR THE MARYLAND COALITION FOR FINANCIAL**  
24 **LITERACY;**

25                   **(IX) ONE REPRESENTATIVE OF A BANK, WHETHER OR NOT**  
26 **STATE-CHARTERED, THAT HAS A BRANCH IN THE STATE;**

27                   **(X) ONE REPRESENTATIVE OF A CREDIT UNION, WHETHER**  
28 **OR NOT STATE-CHARTERED, THAT HAS A BRANCH IN THE STATE;**

29                   **(XI) ONE LICENSED MORTGAGE BROKER HOLDING THE**  
30 **MARYLAND ASSOCIATION OF MORTGAGE BROKERS’ “LENDING SEAL OF**  
31 **INTEGRITY”;** AND

1 (XII) ONE MEMBER OF THE MARYLAND ASSOCIATION OF  
2 CPAs.

3 (B) (1) THE TERM OF AN APPOINTED MEMBER OF THE COMMISSION  
4 IS 4 YEARS.

5 (2) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED  
6 AS REQUIRED BY THE TERMS PROVIDED FOR APPOINTED MEMBERS OF THE  
7 COMMISSION ON OCTOBER 1, 2012.

8 (3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES  
9 TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

10 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN  
11 SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS  
12 APPOINTED AND QUALIFIES.

13 (C) (1) THE PRESIDENT OF THE SENATE SHALL DESIGNATE ONE OF  
14 THE MEMBERS APPOINTED FROM THE SENATE AS CO-CHAIR OF THE  
15 COMMISSION.

16 (2) THE SPEAKER OF THE HOUSE OF DELEGATES SHALL  
17 DESIGNATE ONE OF THE MEMBERS APPOINTED FROM THE HOUSE AS CO-CHAIR  
18 OF THE COMMISSION.

19 (D) ~~THE DEPARTMENT OF LEGISLATIVE SERVICES AND THE~~  
20 ~~DEPARTMENT OF LABOR, LICENSING, AND REGULATION JOINTLY~~ MARYLAND  
21 CASH CAMPAIGN SHALL PROVIDE STAFF FOR THE COMMISSION.

22 (E) A MEMBER OF THE COMMISSION:

23 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE  
24 COMMISSION; BUT

25 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE  
26 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE  
27 BUDGET.

28 (F) THE COMMISSION SHALL MEET AT LEAST TWO TIMES EACH YEAR AT  
29 THE TIMES AND PLACES DETERMINED BY THE COMMISSION.

30 9-804.

1           **(A) THE COMMISSION SHALL:**

2                   **(1) MONITOR THE IMPLEMENTATION OF PUBLIC AND PRIVATE**  
3 **INITIATIVES TO IMPROVE THE FINANCIAL EDUCATION AND CAPABILITY OF**  
4 **RESIDENTS OF THE STATE; AND**

5                   **(2) MAKE RECOMMENDATIONS ON THE COORDINATION OF**  
6 **FINANCIAL EDUCATION AND CAPABILITY EFFORTS ACROSS STATE AGENCIES.**

7           **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR**  
8 **BEFORE DECEMBER 1 EACH YEAR, THE COMMISSION SHALL REPORT TO THE**  
9 **GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE**  
10 **GENERAL ASSEMBLY ON ITS RECOMMENDATIONS AND THE STATUS OF EFFORTS**  
11 **UNDERTAKEN BY STATE AGENCIES OR IN PARTNERSHIP WITH STATE AGENCIES**  
12 **TO IMPROVE THE FINANCIAL EDUCATION AND CAPABILITY OF RESIDENTS OF**  
13 **THE STATE.**

14                   **(2) EVERY 3 YEARS, THE REPORT OF THE COMMISSION**  
15 **REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A**  
16 **COMPREHENSIVE DISCUSSION OF STATEWIDE EFFORTS TO IMPROVE THE**  
17 **FINANCIAL EDUCATION AND CAPABILITY OF RESIDENTS OF THE STATE,**  
18 **INCLUDING INITIATIVES FUNDED BY THE STATE OR A LOCAL GOVERNMENT AND**  
19 **THOSE UNDERTAKEN IN THE PRIVATE SECTOR BY NONPROFIT ORGANIZATIONS,**  
20 **FINANCIAL INSTITUTIONS, AND OTHER PERSONS.**

21           SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial  
22 appointed members of the Financial Education and Capability Commission shall  
23 expire as follows:

24                   (1) three members in 2013;

25                   (2) three members in 2014;

26                   (3) three members in 2015; and

27                   (4) three members in 2016.

28           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2012.